

FILED

OCT - 5 2016

U.S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)
Plaintiff,)
v.)
EARL DOUGLAS CHAPMAN,)
JULIUS RISHAWN LIVINGSTON, AND)
KEHINDA MITCHELL,)
Defendants.)

4:16CR00440 RLW/NAB

No.

INDICTMENT

COUNT 1

(Conspiracy to Defraud)

The Grand Jury charges that:

A. Conspiracy

1. Beginning on or about December 5, 2015 and continuing through on or about March 9, 2016, in the Eastern District of Missouri and elsewhere, the defendants,

**EARL DOUGLAS CHAPMAN,
JULIUS RISHAWN LIVINGSTON,
AND KEHINDA MITCHELL,**

and persons known and unknown to the Grand Jury did unlawfully, willfully, and knowingly combine, conspire, and agree with persons known and unknown to the grand jury to commit the following offenses against the United States:

- a. to use the mails and interstate carriers to execute a scheme and artifice to defraud, in violation of Title 18, United States Code, Section 1341;
- b. to execute a scheme and artifice to defraud federally insured financial institutions, in violation of Title 18, United States Code, Section 1344;
- c. to transfer, possess, or use the means of identification of another in order to commit specified enumerated offenses, in violation of Title 18, United States Code, Section 1028A; and,
- d. to produce, use, or traffic in one or more counterfeit access devices with the intent to defraud, in violation of Title 18, United States Code, Section 1029(a)(1).

B. Object of the Conspiracy

2. The object of the conspiracy was for the defendants, **EARL DOUGLAS CHAPMAN, JULIUS RISHAWN LIVINGSTON, KEHINDA MITCHELL**, and persons known and unknown to the Grand Jury to achieve a common goal, that is: to profit from the fraudulent use of counterfeit access devices embedded with the account numbers of others and the use of fraudulently obtained access devices.

C. OVERT ACTS

3. In furtherance of and to effect the objects of the conspiracy, one or more of the co-conspirators committed and caused to be committed one or more of the following overt acts in the Eastern District of Missouri and elsewhere;

- a. On or about December 5, 2015, defendant **KEHINDA MITCHELL**, fraudulently acquired a 2015 Dodge Durango from an automobile dealership located in Wisconsin;
- b. Between on or about February 21, 2016 and March 9, 2016, defendants **EARL DOUGLAS CHAPMAN, JULIUS RISHAWN LIVINGSTON, AND KEHINDA MITCHELL** obtained personal identifying information of others which included their names, dates of birth, social security numbers, and credit/debit account numbers;
- c. On some date prior to March 8, 2016, defendant **EARL DOUGLAS CHAPMAN** obtained counterfeit Illinois Drivers Licenses bearing the identifying information of J.W, J.G, and J.M., but his photographic image;
- d. On or about March 8, 2016, defendants **EARL DOUGLAS CHAPMAN, JULIUS RISHAWN LIVINGSTON, AND KEHINDA MITCHELL** traveled across the state line into the Eastern District of Missouri in the vehicle fraudulently obtained by defendant **KEHINDA MITCHELL**;
- e. Between March 8, 2016 and March 9, 2016, defendants **EARL DOUGLAS CHAPMAN, JULIUS RISHAWN LIVINGSTON, AND KEHINDA MITCHELL** traveled throughout the St. Louis Metropolitan Area using counterfeit credit cards embedded with the account numbers of others to purchase, and attempt to purchase, merchandise and gift cards with an aggregate value exceeding \$30,000.00;
- f. Between March 8, 2016 and March 9, 2016, defendant **EARL DOUGLAS CHAPMAN** used the identifying information of J.M. and a counterfeit State of Illinois Driver's License in the name of J.M. in order to open credit accounts at two retail stores located within the Eastern District of Missouri;

g. On or about March 8, 2016, defendants **EARL DOUGLAS CHAPMAN**,

JULIUS RISHAWN LIVINGSTON, AND KEHINDA MITCHELL used the

account that was fraudulently opened in the name of J.M. in order to purchase

merchandise valued at \$2,567.60 from a retailer located in Frontenac, Missouri;

h. On or about March 9, 2016, defendants **EARL DOUGLAS CHAPMAN**,

JULIUS RISHAWN LIVINGSTON, AND KEHINDA MITCHELL used a

second account that was fraudulently opened in the name of J.M. in order to purchase

merchandise valued at \$2,306.94 from a retailer located in Frontenac, Missouri;

i. On or about March 9, 2016, defendants **EARL DOUGLAS CHAPMAN**,

JULIUS RISHAWN LIVINGSTON, AND KEHINDA MITCHELL possessed 11

prepaid debit cards that had been altered to appear as if they were credit cards issued

to J.M., and two counterfeit State of Illinois Drivers Licenses in the names of J.A.W.

and J.J.G., but bearing the photograph of defendant **EARL DOUGLAS CHAPMAN**;

and,

k. On or about March 9, 2016, defendants **EARL DOUGLAS CHAPMAN**,

JULIUS RISHAWN LIVINGSTON, AND KEHINDA MITCHELL possessed

fraudulently obtained merchandise and gift cards, including some which had been

obtained in Columbus, Ohio, Charlotte, North Carolina, and, Southfield, Michigan.

In violation of Title 18, United States Code, Section 371.

COUNT 2

(Interstate Transportation of Stolen Vehicle)

The Grand Jury further charges:

On or about March 8, 2016, within the Eastern District of Missouri, the defendant

KEHINDA MITCHELL,

did unlawfully transport in interstate commerce a stolen motor vehicle, that is, a 2015 Dodge Durango that had been fraudulently purchased, from the State of Wisconsin to the State of Missouri, knowing the same to be stolen.

In violation of Title 18, United States Code, Sections 2312 and 2.

COUNT 3

(Fraudulent Use of Access Devices)

The Grand Jury further charges:

Between on or about March 8, 2016 and continuing to on or about March 9, 2016, in the Eastern District of Missouri, the defendants,

**EARL DOUGLAS CHAPMAN,
JULIUS RISHAWN LIVINGSTON,
AND KEHINDA MITCHELL,**

being aided, abetted, counseled and induced by one another and persons unknown to the Grand Jury, in a matter affecting interstate commerce, did knowingly and with intent to defraud use, and attempt to use, unauthorized access devices, that is: account numbers issued to others that

were obtained fraudulently, to obtain gift cards and other merchandise with an aggregate value exceeding \$1,000.00, that being in excess of \$20,000.00.

In violation of Title 18, United States Code, Sections 1029(a)(2), (b)(1), and 2.

COUNT 4

(Aggravated Identity Theft)

The Grand Jury further charges:

On or about March 8, 2016, in the Eastern District of Missouri, the defendant,

EARL DOUGLAS CHAPMAN,

being aided, abetted, counseled and induced by persons known and unknown to the Grand Jury, did knowingly transfer, possess, and use, without lawful authority, a means of identification of another person, to wit, the name, date of birth, and social security number of J.M., during and in relation to the commission of the felony offenses of: bank fraud, Title 18, United States Code, Section 1344; social security fraud, Title 42, United States Code, Section 408(a)(7)(B); use of unauthorized access devices, Title 18, United States Code, Section 1029(a)(2), and mail fraud, Title 18, United States Code, Section 1341.

In violation of Title 18, United States Code, Sections 1028A and 2.

COUNT 5

(Aggravated Identity Theft)

The Grand Jury further charges:

On or about March 9, 2016, in the Eastern District of Missouri, the defendant,

EARL DOUGLAS CHAPMAN,

being aided, abetted, counseled and induced by persons known and unknown to the Grand Jury, did knowingly transfer, possess, and use, without lawful authority, a means of identification of another person, to wit, the name and account number of C.R.B., during and in relation to the commission of the felony offenses of: bank fraud, Title 18, United States Code, Section 1344; use of unauthorized access devices, Title 18, United States Code, Section 1029(a)(2); and mail fraud, Title 18, United States Code, Section 1341.

In violation of Title 18, United States Code, Sections 1028A and 2.

COUNT 6

(Aggravated Identity Theft)

The Grand Jury further charges:

On or about March 9, 2016, in the Eastern District of Missouri, the defendant,

EARL DOUGLAS CHAPMAN,

being aided, abetted, counseled and induced by persons known and unknown to the Grand Jury, did knowingly transfer, possess, and use, without lawful authority, a means of identification of another person, to wit, the name, date of birth, and driver's license number of J.A.W., during and

in relation to the commission of the felony offense of production of false identification documents, Title 18, United States Code, Section 1028(a)(1).

In violation of Title 18, United States Code, Sections 1028A and 2.

COUNT 7

(Aggravated Identity Theft)

The Grand Jury further charges:

On or about March 9, 2016, in the Eastern District of Missouri, the defendant,

EARL DOUGLAS CHAPMAN,

being aided, abetted, counseled and induced by persons known and unknown to the Grand Jury, did knowingly transfer, possess, and use, without lawful authority, a means of identification of another person, to wit, the name, date of birth, and driver's license number of J.J.G., during and in relation to the commission of the felony offense of production of false identification documents, Title 18, United States Code, Section 1028(a)(1).

In violation of Title 18, United States Code, Sections 1028A and 2.

COUNT 8

(Aggravated Identity Theft)

The Grand Jury further charges:

On or about March 8, 2016, in the Eastern District of Missouri, the defendant,

JULIUS RISHAWN LIVINGSTON,

being aided, abetted, counseled and induced by persons known and unknown to the Grand Jury, did knowingly transfer, possess, and use, without lawful authority, a means of identification of another person, to wit, the account number of S.J.P., during and in relation to the commission of the felony offenses of: bank fraud, Title 18, United States Code, Section 1344; production of counterfeit access devices, Title 18, United States Code, Section 1029(a)(1); and, use of unauthorized access devices, Title 18, United States Code, Section 1029(a)(2).

In violation of Title 18, United States Code, Sections 1028A and 2.

COUNT 9

(Identity Theft)

The Grand Jury further charges:

On or about March 8, 2016, in the Eastern District of Missouri, the defendant,

JULIUS RISHAWN LIVINGSTON,

being aided, abetted, counseled and induced by persons known and unknown to the Grand Jury, did knowingly transfer, possess, and use, without lawful authority, a means of identification of another person, to wit, the account number of S.J.P., with the intent to commit, and in connection

to, the felony offense of fraudulent use of a credit and debit device, Missouri Revised Statutes 570.130.

In violation of Title 18, United States Code, Sections 1028(a)(7) and 2.

A TRUE BILL.

FOREPERSON

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